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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,457	12/21/2001	Susan M. Coatney	112056-0007	1514
24267	7590	07/17/2006	EXAMINER	
CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210			BAYARD, DJENANE M	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/027,457	<b>Applicant(s)</b> COATNEY ET AL	
	<b>Examiner</b> Djenane M. Bayard	<b>Art Unit</b> 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6-9, 11-17, 19, 20 and 23-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-9, 11-17, 19-20, 23-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This is in response to Request for Continuing Examination in which claims 6-9, 11-17, 19-20 and 23-52 are currently pending.

#### *Response to Arguments*

2. As per claim 6 and 9, Applicant's arguments have been fully considered but they are not persuasive. Applicant argues that Brunelle fails to teach using two indicia of ownership. However, Brunelle clearly teaches the first indicia by: *the storage device may be reserved for exclusive use by one or more storage network controllers by storing the storage network controller's unique identifier with an associated access privilege for the storage network controller in the storage device (See col. 3, lines 47-65)*. Furthermore, Brunelle et al teaches using a SCSI persistent reservation as the second indicia (See col. 5-7).

As per claim 28, Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 6–8, 27, 42-43 and 51 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 6,654,902 to Brunelle et al.

a. As per claims 6, 27 and 51, Brunelle et al teaches a method of claiming ownership of a disk by a network device in a network storage system comprising the steps of: writing ownership information to a predetermined area of the disk (See col. 3, lines 47-65); a small computer system interface level 3 persistent reservation tag to a state of network device ownership (See col. 5, lines 45-67, See col. 6-7).

b. As per claims 7, Brunelle et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the ownership information further comprises a serial number of the network device (See col. 5, lines 4-11 and col. 6, lines 38-54).

c. As per claim 8, Brunelle et al teaches wherein the network device comprises a file server (See col. 3).

d. As per claim 42, Brunelle et al teaches wherein the small computer system interface persistent reservation tag and the ownership information at the predetermined area of the disk indicate ownership by the same network device (See col. 3, lines 47-65 and col. 5, lines 5-45).

e. As per claim 43, Brunelle et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the small computer system interface (SCSI)

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persistent reservation tag is a small computer system interface level 3 (SCSI-3) persistent reservation tag (See col. 5, lines 25-67).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 11-17, 19-20 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,654,902 to Brunelle et al in view of U.S. Patent Application No. 2003/0093501 to Carlson et al.

a. As per claim 9 and 17, Brunelle et al teaches a network storage system comprising: a plurality of network devices; and a plurality of disks having a first ownership attribute written to a predetermined area of the disk (See col. 5, lines 27-37, *the read keys command requests that the shared device manager return a list of the cluster nodes that have previously registered with the storage device by returning a list of registration keys stored in the stored in the storage device*) and a second ownership attribute in the form of a small computer system interface persistent reservation tag (See col. 6, lines 38-54). However, Brunelle et al failed to teach wherein one or more switches, each network device connected to at least one of the one or more switch; each disk connected to at least one of the plurality of switches.

Carlson et al teaches a method, system and program for configuring system resources. Furthermore, Carlson et al teaches wherein one or more switches, each network device connected to at least one of the one or more switch; each disk connected to at least one of the plurality of switches (See page 2, paragraph [0039]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein one or more switches, each network device connected to at least one of the one or more switch; each disk connected to at least one of the plurality of switches as taught by Carlson et al in view of Brunelle et al in order to interconnect the attached host devices (see page 2, paragraph [0039]).

b. As per claim 20, Brunelle teaches and a plurality of disks having a first ownership attribute written to a predetermined area of the disk (See co. 5, lines 27-37, *the read keys command requests that the shared device manager return a list of the cluster nodes that have previously registered with the storage device by returning a list of registration keys stored in the stored in the storage device*) and a second ownership attribute in the form of a small computer system interface persistent reservation tag (See col. 6, lines 38-54). However, Brunelle et al fails to teach wherein one or more switches interconnected to form a switching fabric; a plurality of disks, each of the disks connected to at least one of the switches; and one or more network devices, interconnected with the switching fabric, each of the network devices being adapted to own a predetermined set of disks of the plurality of disks.

Carlson et al teaches a network storage system comprising: one or more switches interconnected to form a switching fabric; a plurality of disks, each of the disks connected to at

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least one of the switches (See page 2, paragraph [0039]); and one or more network devices, interconnected with the switching fabric, each of the network devices being adapted to own a predetermined set of disks of the plurality of disks (See page 8, paragraph [0082], The panel displays a slider that the administrator may control to indicate the amount of storage space to allocate to the host).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Carlson in the claimed invention of Brunelle et al in order to interconnect the attached host devices (see page 2, paragraph [0039]).

c. As per claims 11 and 24, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the small computer system interface persistent reservation tag is a small computer system interface level 3 persistent reservation tag (See col. 5, lines 25-67).

d. As per claims 12, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the small computer system interface level 3 persistent reservation tag is set such that only the network device may write to the disk (See col. 5, lines 60-67 and col. 6, lines 1-6).

e. As per claim 13, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the ownership attribute further

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comprises a serial number of the network device that owns that particular disk (Col. 5, lines 4-11 and col. 6, lines 37-54).

f. As per claim 14, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al failed to teach wherein each of the plurality of file servers can read data from each of the plurality of disks (See col. 5, lines 60-67 and col. 6, lines 1-6).

g. As per claim 15, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al in view of Carlson et al failed to teach wherein only a network device that owns one of the plurality of disks can write data to the one disk (See col. 5, lines 60-67 and col. 6, lines 1-6).

h. As per claims 16 and 19, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the network devices comprise file servers (See col. 4)

i. As per claim 23, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the first ownership attribute further comprises a serial number of one of the one or more network devices (See col. 5, lines 4-11).



6. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,654,902 to Brunelle et al in view of U.S. Patent Application No. 2003/0093501 to Carlson et al as applied to claim 20 above and further in view of U.S. Patent Application No. 2003/0061491 to Jaskiewicz et al.

a. As per claim 25, Brunelle et al Carlson et al teaches the claimed invention as described above. However, Brunelle et al in view of Carlson et al failed to teach wherein each of the network devices further comprises a disk ownership table, the disk ownership table containing ownership data for each of the disks.

Jaskiewicz et al teaches wherein each of the network devices further comprises a disk ownership table, the disk ownership table containing ownership data for each of the disks (See page 3, paragraph [0022]).

It would have been obvious to one with ordinary skill in the art at the invention was made to incorporate wherein each of the network devices further comprises a disk ownership table, the disk ownership table containing ownership data for each of the disks as taught by Jaskiewicz et al in the claimed invention of Brunelle et al in view of Carlson et al in order to give the host device permission to write and read data to and from the storage location the right device id (See page 3, paragraph [0022]).

b. As per claim 26, Brunelle et al in view of Carlson et al teaches the claimed invention as described above. However, Brunelle et al in view of Carlson et al failed to teach wherein the

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ownership table further comprises a world wide name for each of the disks, the world wide name being used for identification of each of the disks.

Jaskiewicz et al teaches wherein the ownership table further comprises a world wide name for each of the disks, the world wide name being used for identification of each of the disks (See page 3, paragraph [0021]).

It would have been obvious to one with ordinary skill in the art at the invention was made to incorporate wherein the ownership table further comprises a world wide name for each of the disks, the world wide name being used for identification of each of the disks as taught by Jaskiewicz et al in the claimed invention of Brunelle et al in view of Carlson et al in order to give the host device permission to write and read data to and from the storage location the right device id (See page 3, paragraph [0022]).

7. Claims 28-41, 44-50, 52 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 6,654902 to Brunelle et al in view of U.S. Patent No. 6,732289 to Talagala et al.

a. As per claims 28, 34-36 and 52, Brunelle et al teaches network storage system one or more storage devices, each storage device having a predetermined area for storing ownership information and each storage device having a small computer system interface (SCSI) level 3 persistent reservation tag (See col. 5, lines 25-67); at least one network device having an ownership table constructed based upon the ownership information from each storage device (See col. 7, lines 7-17, *a persistent reserve table stored in the storage device. The persistent*

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*reserve table includes a reservation entry for each reservation. The reservation entry includes an initiator identifier and a reservation descriptor*); the at least one network device having a disk storage layer for configuring the one or more storage devices identified in the ownership table into at least one volume for use by the network device (See col. 8, lines 46-55, *the registered cluster nodes are permitted to write data to the shared storage device because the type of reservation enabled is write exclusive registrants only*). However, Brunelle et al fails to teach the at least one network device having an ownership layer for comparing the SCSI level 3 persistent reservation tag to the ownership information of the same storage device and, if there is not a match, changing the SCSI level 3 persistent reservation tag to match the ownership information

Talagala et al teaches at least one network device having an ownership layer for comparing the SCSI level 3 persistent reservation tag to the ownership information of the same storage device and, if there is not a match, changing the SCSI level 3 persistent reservation tag to match the ownership information (See col. 5, lines 5-15)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate at least one network device having an ownership layer for comparing the SCSI level 3 persistent reservation tag to the ownership information of the same storage device and, if there is not a match, changing the SCSI level 3 persistent reservation tag to match the ownership information as taught by Talagala et al in the claimed invention of Brunelle et al in order to provide verification of ownership (See col. 5, lines 5-15).

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b. As per claims 44 and 49-50, Brunelle et al teaches a method for a network device to manage ownership of one or more storage devices in a network storage system, comprising the steps of: reading ownership information from a predetermined area of each storage device; accessing a small computer system interface (SCSI) persistent reservation tag associate with each storage device; However, Brunelle fails to teach comparing the SCSI persistent reservation tag to the ownership information of the same storage device and, if there is not a match, changing the SCSI persistent reservation tag to match the ownership information; and configuring the one or more storage devices for use by the network device.

Talagala et al teaches at least one network device having an ownership layer for comparing the SCSI level 3 persistent reservation tag to the ownership information of the same storage device and, if there is not a match, changing the SCSI level 3 persistent reservation tag to match the ownership information (See col. 5, lines 5-15)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate at least one network device having an ownership layer for comparing the SCSI level 3 persistent reservation tag to the ownership information of the same storage device and, if there is not a match, changing the SCSI level 3 persistent reservation tag to match the ownership information as taught by Talagala et al in the claimed invention of Brunelle et al in order to provide verification of ownership (See col. 5, lines 5-15).

c. As per claims 29, 37, 42 and 47, Brunelle et al in view of Talagala et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches setting ownership information at the predetermined area of each storage device (See col. 7, lines 1-17).

d. As per claims 30 and 38, Brunelle et al in view of Talagala et al teaches wherein the step of configuring further comprises: organizing the one or more storage devices into at least one Redundant Array of independent Disks (RAID) group (See col. 3, lines 30-35)

e. As per claims 31, 39 and 48, Brunelle et al in view of Talagala et al teaches wherein the predetermined area of the one or more storage devices is sector zero of the one or more storage devices (See col. 5 lines 55-64).

f. As per claims 32 and 40, Brunelle et al in view of Talagala et al teaches wherein the ownership information is a serial number of the network device that owns that particular storage device (See col. 7, lines 1-17).

g. As per claims 33 and 41, Brunelle et al in view of Talagala et al teaches wherein the ownership table includes a world wide name for each of the storage devices, the world wide name being used to identify each of the storage devices (See col. 7, lines 1-17).

h. As per claim 45, Brunelle et al in view of Talagala et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches wherein the small computer system interface (SCSI) persistent reservation tag is a small computer system interface level 3 (SCSI-3) persistent reservation tag (See col. 5, lines 25-67).

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i. As per claim 46, Brunelle et al in view of Talagala et al teaches the claimed invention as described above. Furthermore, Brunelle et al teaches in response to reading the ownership information, creating an ownership table on the network device that identifies the one or more storage devices owned by the network device; and using the ownership table to configure the one or more storage devices into at least one volume (See col. 8, lines 46-55, *the registered cluster nodes are permitted to write data to the shared storage device because the type of reservation enabled is write exclusive registrants only*).

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Djenane Bayard

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER